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Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran*, **

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Asma Jahangir, prepared pursuant to Council resolution 31/19. In the report, the Special Rapporteur communicates developments in the human rights situation that have transpired since the submission of the report of the previous mandate holder to the General Assembly at its 71st session in November 2016.

The Human Rights Council appointed Ms. Jahangir as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran at its 33rd session, held in September 2016.

The report outlines the Special Rapporteur's activities since her appointment, examines ongoing issues and presents some of the most recent and pressing developments in the country's human rights situation.

* The present report was submitted after the deadline as a result of consultations with the State concerned.

** The annex to the present report is circulated as received in the language of submission only.

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Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

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I. Introduction

1. The Human Rights Council appointed Asma Jahangir as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran at its 33rd session, held in September 2016. The present report is submitted pursuant to Council resolution 31/19.

2. Since her appointment, the Special Rapporteur has received a large number of communications and held consultations with various civil society organizations, including non-governmental organizations, intellectuals, lawyers and victims. With a view to ensuring continuity of the reporting on the situation of human rights in the Islamic Republic of Iran, the Special Rapporteur has also taken into account the communications sent by the previous mandate holder since the submission of his last report to the General Assembly. The present report therefore covers the period from June to December 2016. Comments were received from the Government of the Islamic Republic of Iran and those relating to factual information have been integrated. The Special Rapporteur is grateful for this input and looks forward to future cooperation.

3. The Special Rapporteur notes the Government's improved engagement with the special procedures through increased dialogue with the previous mandate holder and invitations to visit issued in 2015 to the Special Rapporteurs on the right to food and on the negative impact of unilateral coercive measures on the enjoyment of human rights.[1] She notes, however, that the Government has still not accepted the requests made since 2002 by the Special Rapporteurs on the independence of lawyers and judges; extrajudicial, summary or arbitrary executions; freedom of religion or belief; minority issues; and the promotion and protection of the right to freedom of opinion and expression; as well as the Working Groups on the issue of discrimination against women in law and in practice; Enforced or Involuntary Disappearances; and Arbitrary Detention.[2]

4. The Special Rapporteur regrets that the information she received did not reveal any notable improvement in the situation of human rights in the country. The situation relating to independence of judges and lawyers, freedom of expression and use of arbitrary detention continues to be a matter of serious concern. She notes that some measures are under way, but their implementation and effectiveness is yet to be assessed.

5. On 19 December 2016, President Hassan Rouhani signed and published the final version of the Citizens' Rights Charter and called on the Government to work towards its full implementation. The Charter contains 120 articles and covers a wide array of rights ranging from freedom of opinion, expression and the press, access to information, justice, minority and ethnic rights, fair trial and women's rights. According to the Charter, the President will appoint a special assistant to coordinate and pursue appropriate measures for implementing the Charter and to submit annual reports on the implementation progress towards implementation of the Charter.[3] The Special Rapporteur is encouraged by this policy and hopes that it will be implemented in a way that fosters genuine participation by all components of Iranian civil society.

6. The Special Rapporteur notes that the assessment of any human rights situation in any country requires an understanding of the effect of laws, policies and practices on the enjoyment of human rights. In the present report, the Special Rapporteur therefore extensively refers to the existing legal and policy framework in the Islamic Republic of Iran. She also refers to recommendations made by international human rights mechanisms.

7. Four treaty bodies — the Committee on the Elimination of Racial Discrimination, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child — have considered reports submitted by the

[1] See http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en.

[2] Ibid.

[3] See http://dolat.ir/detail/286714 (in Persian), and www.dailymail.co.uk/wires/afp/article-4047800/Irans-Rouhani-unveils-landmark-bill-rights.html.

Government since 2010 and made specific recommendations. According to the Government, of the 291 recommendations it received during its 2014 universal periodic review, 131 were accepted, 59 were partially supported and 101 were rejected.[4]

8. The present report relays information provided by apparent victims of rights violations and civil society actors located inside and ouside the country, as well as information provided by the Government. A total of 33 communications by the Special Rapporteur and/or her predecessor jointly with other special procedure mandate holders were addressed to the Government in 2016. The communications addressed cases of torture and ill-treatment, executions, violations of the guarantees of fair trials, arbitrary arrests and detention of journalists, lawyers and human rights activists, persecution of religious minorities and reprisals against individuals for their contact with United Nations human rights mechanisms. The Government responded to 21 communications.

9. In December 2016, the Special Rapporteur held her first consultations with civil society representatives. She also met with representatives of the Government of the Islamic Republic of Iran in Geneva and expressed her willingness to visit the country in the framework of her mandate. She felt that a visit, particularly at a juncture when the citizens of the country were under internal and external pressure, would be beneficial for all concerned.

II. Civil and political rights

A. Right to life

10. The Government received a total of 70 recommendations relating to the use of capital punishment during the universal periodic reviews: 29 in the first cycle in 2010 and 41 in the second cycle in 2014. They included calls on the Government to abolish the death penalty for juvenile offenders; to establish a moratorium on the death penalty for crimes not considered "most serious" by international standards; to establish a moratorium on the use of capital punishment; and to ban stoning and public executions. To date, none of the recommendations has received effective follow-up. The death penalty under the drug abuse laws are executed upon the approval of the Chief Justice or the Attorney General.

11. Human rights organizations tracking executions in the Islamic Republic of Iran estimate that at least 530 executions took place in 2016. As in previous years, the majority of those executions were not for the "most serious" drug-related offences.

12. The Special Rapporteur notes her predecessor's concern regarding reports alleging that drug offenders are often deprived of basic due process and fair trial rights, including long periods of incommunicado and pretrial detention, lack of adequate access to a lawyer and/or proper defence, beatings and coerced confessions, which are later used in revolutionary courts to secure their death sentences. She observes that the recently amended Criminal Procedure Code, which mandates the Supreme Court to review all death sentences, including those for drug-related offences, does not seem to have led to any significant change in this respect.

13. The Special Rapporteur is concerned about the continued practice of public executions, which has already been documented by the previous mandate holder and the Secretary-General in several reports. Reportedly, some executions are carried out in public places in the presence of children; however, this has been denied by the Government. Some non-governmental sources stated that most of the public executions are attended by large crowds, which include children. This shows that the serious concerns expressed by the Committee on the Rights of the Child[5] about the impact on children of those executions have so far been disregarded.

[4] The United Nations considers all recommendations that are not accepted in their entirety (i.e., "partially accepted") as rejections.

[5] See CRC/C/IRN/CO/3-4, paras. 53-54.

14. In the case of executions carried out in August 2016, basic international human rights fair trial standards and due process guarantees were reportedly disregarded.[6]

15. The Islamic Republic of Iran has reportedly executed the highest number of juvenile offenders worldwide, over the past decade. Despite an absolute ban on the practice under international law, the Islamic Penal Code still explicitly provides for the death penalty for boys of at least 15 lunar years of age and girls of at least 9 lunar years[7] for *qisas* (retaliation in kind) and *hudud* crimes, such as homicide, adultery and sodomy.[8] The 2013 amendments to the Islamic Penal Code provide for the court to assess the mental capacity of juvenile offenders before issuing the death sentence to determine whether they understood the consequences of their actions at the time that they committed the *hudud* crime.[9] In January 2015, the Supreme Court issued a ruling requiring all courts to retroactively apply the new amendment for cases adjudicated prior to 2013, in respect of juvenile defendants petitioning a retrial of their capital sentences.[10] The 2013 amendments also repeal capital punishment for juveniles found guilty of drug-related offences.

16. The Committee on the Rights of the Child expressed serious concern about the ongoing execution of juveniles and called on the Government to rescind reservations that sanction judicial disregard of the provisions of the Convention on the Rights of the Child. It also called on the Government to define a juvenile as anyone under the age of 18, in line with the Convention, and to raise the age of criminal responsibility to 18 years without discriminating between boys and girls.[11]

17. At least five young men — Hoshang Zare, Mehdi Rajaei, Khaled Kordi, Moslem Abarian, and Hasan Afshar — below the age of 18 years at the time of committing their alleged offences were executed in 2016. In December 2016, three others — Salar Shadizadi, Vali Yousef Zehi and Himan Ouraminejad — were reportedly at imminent risk of execution for crimes they allegedly committed when they were below the age of 18 years. Salar Shadizadi was reportedly granted a retrial in early 2016 after the authorities halted his scheduled execution, but was later considered by a criminal court as "mentally mature" at the time of commission of the crime and reportedly resentenced to death. The Government informed the Special Rapporteur that the death sentence against Himan Ouraminejad had been cancelled following an agreement between the families concerned. According to the Government, other sentences were commuted on compassionate grounds.

18. According to non-governmental sources, the vast majority of executions of persons convicted as juveniles are not officially reported by the Government.[12] While the number of convicted children is unknown, there were definitely over 78 juveniles on death row as at December 2016. Some of them had been languishing for years under the death sentence.

19. Mohammad Reza Haddadi was convicted for a crime he allegedly committed when he was 15 years old and sentenced to death in 2004. He has been on death row for the last 12 years and was spared execution for a fourth time in May 2016. The Government informed the Special Rapporteur that he was arrested and prosecuted on charges of kidnapping, intentional murdering and hiding the body of the victim, and sentenced to *qisas* and 16 years' imprisonment.

20. Under article 91 of the new Islamic Penal Code (2013), judges are required to assess the mental capacity of juvenile offenders before issuing the death sentence, to determine whether they understood the consequences of their actions at the time that they committed the *hudud* crime. The Special Rapporteur was informed that the criteria used by courts to assess mental capacity varied widely and were inconsistently applied by the courts across

[6] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20344&LangID=E; and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20425&LangID=E.

[7] See Islamic Republic of Iran, Islamic Penal Code (2013), arts. 146-147.

[8] Ibid., books II and III.

[9] Ibid., art. 91.

[10] See www.rrk.ir/Laws/ShowLaw.aspx?Code=2460 (in Persian).

[11] See CRC/C/IRN/CO/3-4 paras 27-28, 35-36, 48 and 92.

[12] See https://www.amnesty.org/en/documents/mde13/3112/2016/en/.

the country.[13] Fifteen children were sentenced to death for the first time under the revised juvenile sentencing guidelines of the 2013 Islamic Penal Code.

21. Alireza Tajiki was sentenced to death in 2013 after a criminal court convicted him for the rape and murder of a friend, which he allegedly committed when he was 15 years old. Mr. Tajiki was reportedly placed in solitary confinement for 15 days, denied access to a lawyer and allegedly subjected to torture and other forms of ill-treatment. In 2014, the Supreme Court quashed the conviction and sentence owing to lack of evidence and ordered the trial court to determine Mr. Tajiki's maturity. In November 2014, the trial court determined that he had the requisite "mental maturity" at the time of commission of the crime. In February 2015, the Supreme Court affirmed the ruling of the lower court and in May 2016, Mr. Tajiki, then aged 19 years, was at risk of execution. The Government informed the Special Rapporteur that the prosecutor had issued an order to suspend the retribution verdict until further notice and that efforts were being made to obtain the consent of the family of the murdered victim. They indicated that the process of fair trial had been completely observed, including effective access to private attorneys. No information was provided in response to the allegations that Mr. Tajiki was subjected to torture and ill-treatment and, at the time of writing the present report, the situation of the young man was unknown.

22. The Special Rapporteur is aware that on 16 July 2016, the Government introduced the "Criminal Procedure Bill in respect of Juveniles and Children" in Parliament for review. According to note 3 to article 33 of the bill, the judiciary should consider alternative punishment of two to eight years' imprisonment in a juvenile correctional facility for juvenile offenders convicted of crimes that carry the death penalty or life imprisonment.[14] The Special Rapporteur welcomes this initiative but regrets the limited developments towards the adoption of the law during the second half of 2016.

23. International human rights standards impose an absolute ban on the execution of persons who were under 18 years at the time of the commission of the crime, regardless of the circumstances and nature of it. The Special Rapporteur urges the Government to immediately establish a moratorium on the executions of persons convicted for crimes committed when they were under the age of 18 years; to accelerate the adoption of the Criminal Procedure Bill in respect of Juveniles and Children; and to commute all death sentences handed down to minors to penalties in line with international juvenile justice standards.

B. Right to be free from torture or other cruel, inhuman or degrading treatment or punishment

24. The Government did not accepted any of the 20 recommendations regarding torture or other cruel, inhuman or degrading treatment or punishment made during the 2014 universal periodic review.

25. The Special Rapporteur notes as positive the amendment to article 197 of the Criminal Procedure Code, which explicitly acknowledges the right of the accused to remain silent during preliminary investigations, and the amendment to article 60, which explicitly prohibits the use of coercion, obscene or derogatory language, suggestive or deceptive or irrelevant questioning. However, she noticed that forms of torture are not defined in the legislation of the Islamic Republic of Iran and that the new Code has not established the procedures necessary for investigating torture allegations.

26. Since her appointment, the Special Rapporteur has received numerous reports about the use of torture and other cruel, inhuman or degrading treatment or punishment. These include amputations,[15] blinding and flogging as forms of punishment,[16] physical and mental

[13] Ibid.
[14] See http://rc.majlis.ir/fa/legal_draft/show/981094.
[15] See Islamic Republic of Iran, Islamic Penal Code (2013), arts. 217-288.
[16] See A/71/418, para. 22.

torture or ill-treatment to coerce confessions (mostly during pretrial detention), prolonged periods of solitary confinement and denial of access to proper and necessary medical treatment for detainees. Rights groups documented at least two amputations,[17] one blinding and several floggings in 2016.[18]

27. According to official State media, the Government carried out a blinding sentence in November 2016 in one of the prisons near Tehran. In the same month, the authorities reportedly blinded both eyes of a man from Kurdistan province, identified as "Mohammad Reza", as punishment for allegedly throwing lime into the face of a child and blinding her.[19] In December 2016, finger amputation sentences were carried out on two men detained in Orumieh Prison on charges of robbery. Allegedly, 70 prisoners were forced to watch the amputations.[20] The Government has denied these allegations.

28. In November 2016, Keywan Karimi, a prominent Kurdish filmmaker was orally summoned to present himself to receive a flogging of 223 lashes. He had been sentenced in October 2015 to six years' imprisonment on the charge of "insulting Islamic sanctities" in connection with a music video clip that the authorities found on his computer; and to 223 lashes on the charge of "illicit relations falling short of adultery" for "shaking hands" and "being under one roof" with a female friend "who had not covered her head and neck". The Government stated that Mr. Karimi was charged with insulting sanctities and sentenced to 5 years' imprisonment on the basis of article 513 of the Islamic Penal Code.

29. As highlighted in previous reports, the Government rejects the notion that amputations and floggings amount to torture and maintains that they are effective deterrents to criminal activity. The Government reported that 4,332 complaints alleging human rights violations had been submitted in the past four years, including regarding torture and ill-treatment and that "only a small percentage" warranted action. No specific information was provided regarding prosecutions or convictions of individuals alleged to be involved in the torture or ill-treatment of detainees.

30. The Special Rapporteur, as did the previous mandate holder, received information about numerous documented cases of persons allegedly subjected to torture and ill-treatment with a view to extracting confessions. The practice of prolonged solitary confinement was documented in various reports of the previous Special Rapporteur and there have been numerous reports and instances in which prisoners were deprived of family visits and/or medical care.

31. In a report published in July 2016, a non-governmental source highlighted 18 cases of denial of medical treatment[21] and indicated that the objective of this practice was to intimidate and punish political prisoners and prisoners of conscience. More than half of the 16 communications sent by the mandate to the State authorities during the second half of 2016 concern allegations of denial of medical treatment.

32. In the case of Akbari Monfared who was serving a 15-year prison sentence in relation to her membership in the banned opposition group known as the People's Mojahedin Organization of Iran, the denial of medical treatment reportedly took place after she had published a letter demanding justice for her brothers and sisters who were reportedly executed in 1988. The Government responded to most of the communications indicating that prisoners were in good health and were benefiting from proper health and medical facilities.

33. In June 2016, Narges Mohammadi, a prominent human rights activist went on a hunger strike for 20 days to regain access to her children. According to the Government, she was sentenced to 1 year in prison for propaganda against the system, 5 years for "assembly and collusion against national security", and 10 years for establishing and

[17] See https://hra-news.org/fa/uncategorized/a-5594 (in Persian).
[18] See www.isna.ir/news/95030703729 (in Persian).
[19] See https://iranhr.net/en/articles/2698/.
[20] See https://www.hra-news.org/2016/hranews/a-9009/ (in Persian).
[21] See www.amnestyusa.org/sites/default/files/mde_13.4196.2016_health_taken_hostage_-_cruel_denial_of_medical_care_in_irans_prisons_final.pdf.

running an unlicenced and illegal group. According to article 134 of the Islamic Penal Code, sentences run concurrently, therefore she is serving 10 years' imprisonment. In December 2016, Nazanin Ratcliffe a British-Iranian charity worker whose detention was considered arbitrary by the Working Group on Arbitrary Detention [22] was reportedly pressured to choose between moving her 2-year-old daughter into prison or signing a document renouncing all rights regarding her child.[23]

C. Independence of the legal profession and the judiciary

34. The Special Rapporteur notes that international principles recognize that lawyers shall be entitled to form and join self-governing professional associations to represent their interests and that these associations shall exercise their functions without external interference.[24] The independence of lawyers and the legal profession is essential for the promotion and protection of human rights and a fair administration of justice.

35. On 13 July 2016, the Government introduced the Bill on Formal Attorneyship that had been under consideration by Parliament for several years and which could severely compromise the independence of the Iranian Bar Association.[25] In 2012, the International Bar Association and the previous mandate holder expressed concern over the content of this bill.

36. The legal profession in the Islamic Republic of Iran is not independent. The Law on the Qualifications of Attorneys, enacted in 1997, gives the judiciary the authority to vet and exclude candidates from holding positions in the bar association. Reportedly, dozens of prominent lawyers have been rejected from contesting elections to the Board of Directors of the bar association by the Supreme Disciplinary Court of Judges.

37. At least 50 lawyers have reportedly been prosecuted since June 2009 for representing prisoners of conscience, political detainees or "national security" prisoners. On 20 May 2016, the previous mandate holder and other United Nations experts issued a joint statement expressing concern about the situation of lawyers and human rights defenders serving heavy sentences for their peaceful activities or for simply carrying out their professional duties. The experts noted that in addition to detaining human rights lawyers, the continued targeting and harassment by the authorities had apparently "forced some lawyers to limit their professional activities or leave the profession altogether". [26]

38. Among the lawyers referred to in the joint statement was Abdulfattah Soltani, who was jailed in 2012, the same year that he had received an award from the Human Rights Institute of the International Bar Association. The Government stated that Mr. Soltani was sentenced to 10 years' imprisonment for forming and managing an illegal organization, one year for propaganda against the Islamic Republic of Iran, five years for acting against national security by assembling and colluding with the aim of disturbing national security and one year for obtaining money through illegitimate means. The Government added that Mr. Soltani had misused his position as an attorney and was disbarred for 20 years following completion of his imprisonment. The Government denied that Mr. Soltani has been deprived of family visits and adequate medical care. The Special Rapporteur regrets that Iranian society is losing its valuable talent and people of integrity to the confines of State prisons.

39. The issue of the separation of powers remains an obstacle for the independence of the judicial system. The judiciary plays a vital role in interpreting often vaguely defined national security laws. However this role can only be undertaken effectively if the rules for

[22] See A/HRC/WGAD/2016/28.

[23] See www.amnestyusa.org/get-involved/take-action-now/urgent-action-update-prisoner-of-conscience-not-allowed-visits-from-daughter-iran-ua-11716-0.

[24] See Basic Principles on the Role of Lawyers. Available at www.ohchr.org/EN/ProfessionalInterest/Pages/RoleOfLawyers.aspx.

[25] See http://rc.majlis.ir/fa/legal_draft/show/982984 (in Persian).

[26] The Government accepted 3 out of 16 recommendations regarding human rights defenders made during the 2014 universal periodic review.

the appointment of members of the judiciary are transparent and based on the criteria of competence and integrity. It has been widely reported that strong interference is exerted regarding the appointment of judges. The Iranian judiciary has parallel systems: the public courts have general jurisdiction over all disputes, while the specialized courts, such as revolutionary courts, military courts, special clerical courts, the high tribunal for judicial discipline and the court of administrative justice, have functional areas of specialization.

D. Right to a fair trial

40. In early 2013, a revised version of the Islamic Penal Code was implemented for an experimental period of five years and in June 2015, amendments were made to the Criminal Procedure Code. The Special Rapporteur takes note of the observation made by the previous mandate holder that the amended provisions, if properly implemented, could remedy some of the problems raised by the human rights mechanisms,[27] including concerns expressed by Member States during the 2010 and 2014 universal periodic reviews. During the 2014 review, 13 recommendations relating to fair trial standards and judicial independence were made. The Special Rapporteur notes that many of the provisions in the Criminal Procedure Code violate the State's obligations under international human rights law and that the implementation of certain new provisions have not yet given rise to more respect for the right to a fair trial.

41. According to international law, any substantive grounds for arrest or detention must be prescribed by law and defined with sufficient precision to avoid overly broad or arbitrary interpretation or application. The previous mandate holder observed that a number of offences were vaguely and broadly defined. These included crimes such as "crimes against God,[28] insulting or cursing the Holy Prophet, consensual heterosexual or same-sex relations between adults,[29] sowing corruption on earth[30] and apostasy".[31] Individuals convicted of some of these crimes are not generally allowed to seek pardon or have their sentences commuted, in contravention of international law.

42. Other articles in the Islamic Penal Code that restrict the peaceful exercise of a range of other civil and political rights that are integral to the facilitation of democratic processes in the country often fall under the category of *ta'zir* crimes. Such acts are considered to be in conflict with religious or State interests, but have no specific penalties under sharia. They are covered by article 513 of the Islamic Penal Code, which criminalizes "insults" against "Islamic sanctities"; article 514, which criminalizes "insults" directed at the first Supreme Leader; and article 609, which criminalizes insults to other government officials. *Ta'zir* provisions also criminalize "acts against national security", for which political dissidents are often tried and convicted. These provisions are often vague and broadly worded so that they allow the Government to severely limit speech and punish peaceful assembly and association. The risk of arbitrariness is further exacerbated by the lack of independence of the judiciary.

43. From the cases brought to her attention, the Special Rapporteur observes that, in many instances, the right of anyone who is arrested to be promptly informed about the charges against him or her is not respected. The Special Rapporteur notes that individuals may be arrested without being shown a warrant. Several cases in which individuals and/or their families were not provided with information regarding the reasons and circumstances for their arrest or their whereabouts were reported to her during the reporting period. Often, those who are called in for interrogation have no idea of the identity of the persons who initiated the investigation against them.

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[27] See A/HRC/31/69, para. 11.

[28] See https://www.hrw.org/report/2012/08/28/codifying-repression/assessment-irans-new-penal-code.

[29] See Islamic Republic of Iran, Islamic Penal Code (2013), arts. 221-241.

[30] Ibid., art. 286.

[31] Apostasy is not specifically codified as a crime in the Islamic Penal Code, but is a *hudud* crime under sharia. The judiciary can issue sentences for apostasy pursuant to article 167 of the Constitution and article 220 of the Criminal Procedure Code.

44. The Special Rapporteur also notes that one of the most important achievements of the Criminal Procedure Code is the provisions on improved protection for access to legal counsel, especially during the interrogation of suspects by either law enforcement or judiciary officials. Article 48 of the Code provides that the accused can request access to counsel as soon as he or she is approached by law enforcement officials or during criminal proceedings, while article 190 guarantees the right of the accused to access a lawyer during preliminary investigations.[32] The law calls for the accused to be informed of these rights before the investigation begins and if he or she is summoned, the right to access to a lawyer must be mentioned in the summons. Violations of these rights or failure to communicate them to the accused will result in disciplinary action, but will not impact the admissibility of evidence obtained under these conditions.[33] Article 190 of the Code states that the court must appoint a lawyer for persons accused of capital crimes or for offences that incur a sentence of life imprisonment if the accused has not already retained one. The State is not bound to appoint lawyers for other serious cases.[34]

45. The Special Rapporteur is concerned that individuals accused of national security, capital, political or press crimes and those accused of offences that incur life sentences are required to select their counsel from an official pool of lawyers chosen by the head of the judiciary during the investigative phase of the trial.[35] The Code allows for restrictions on the defendant's access to evidence gathered in support of allegations in national security cases.[36] These restrictions not only constitute a major impediment to realizing due process and fair trial rights,[37] but also infringe upon the independence of the legal profession.

46. Among the cases brought to the attention of the Government, that of Baquer Namazi raises serious concern as to the right to a fair trial. Baquer Namazi, an 80-year-old retiree who was the Governor of Khuzestan province and representative of the United Nations Children's Fund (UNICEF) in several countries. In February 2016, he was arrested in Tehran by Iranian security agents and taken to Evin prison. At the time of his arrest, he was visiting Tehran to try and secure the release of his son, Siamak Namazi, who had been arrested in October 2015. Both of them hold dual Iranian-American citizenship. In October 2016, the Iranian authorities had still not brought charges against Siamak Namazi, nor had any formal charges been made against his father. Allegedly, neither of them had access to their lawyers, nor were they allowed to communicate regularly with their family. Although no response was received from the Government, the Special Rapporteur learned that the Prosecutor General of Tehran, Abbas Jafari Dolatabadi, had confirmed on 16 October 2016 that the Namazis and three others had been sentenced to 10 years in prison each for "espionage and collusion with an enemy state", namely, the United States of America.

47. Between 2015 and 2016, the Working Group on Arbitrary Detention ruled that the detention of seven individuals, namely Mohammad Reza Pourshajari, Jason Rezaian, Zeinab Jalalian,[38] Bahareh Hedayat, Mohammad Hossein Rafiee Fanood, Nazanin Zaghari-

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[32] See https://www.amnesty.org/en/documents/mde13/2708/2016/en/. Under the old Code, it was at the judges' discretion to decide whether to allow the involvement of a lawyer during the investigation phase in national security cases or in cases where it was determined that such involvement would result in "corruption". In practice, that meant that individuals accused of national security crimes were almost never granted the right to a lawyer during the investigation and pretrial phase, which rendered them vulnerable to abuse such as ill-treatment, torture, coerced confessions or enforced disappearance by law enforcement forces, Intelligence Ministry officials or others (see art. 33 of the Criminal Procedure Code (1999)).

[33] See Islamic Republic of Iran, Criminal Procedure Code (2015), art. 190, note 1. It is important to note that, prior to the latest round of amendments to the Criminal Procedure Code, this note stated that any investigation resulting from the violation of the right to allow the accused access to a lawyer would be "null and void". Last-minute amendments changed this and instead provide for punishment of judicial officials and others who violate this right.

[34] Ibid., art. 190, note 2. This requirement does not, however, exist for other heavy punishments such as amputations and long-term prison sentences.

[35] Ibid., art. 48, note.

[36] Ibid., art. 191.

[37] See https://www.amnesty.org/en/documents/mde13/2708/2016/en/.

[38] The Government claims that Ms. Jalalian was pardoned and released.

Ratcliffe and Robert Levinson, was arbitrary.[39] For all these cases, the Working Group deemed that international guarantees of a fair trial had not been respected. The Working Group also concluded that the arrest and detention of five of the individuals was directly linked to the exercise of their right to freedom of opinion and expression. At the time of drafting this report, only Ms. Hedayat had been released from jail.

E. Freedom of expression and opinion, and access to information

48. The Government accepted 3 out of 16 recommendations regarding freedom of expression that were made during the 2014 universal periodic review, including the recommendations to amend its laws to uphold the internationally guaranteed rights of free speech and a free press and to guarantee the protection of civil and political rights for all, in particular dissidents and members of minority groups.[40] The Government, however, rejected a number of other recommendations indicating that they were contrary to the country's fundamental values, Islamic tenets and the Constitution.[41]

49. The Special Rapporteur welcomes the declaration made by President Rouhani in November 2016 about the necessity for journalists to feel safe while doing their jobs, and notes that similar declarations had been made in the past. While this recognition by the highest level is obviously of great importance, it does not as yet seem to have been translated into concrete measures to guarantee the freedom of the press. On the contrary, threats against press freedoms continued to be reported during the second half of 2016.

50. On 18 May 2016, Parliament adopted the Political Crimes Bill, which mandates the judiciary to prosecute such crimes in open court before a jury. Certain provisions of this law, including article 1, appear to criminalize attempts to "reform State policies", while article 2 reaffirms the authority of the Government to criminalize the publication of "lies", insults or defamation against government officials such as the President and his deputies, the head of the judiciary and members of Parliament.[42] The Special Rapporteur was informed that the Government is reportedly preparing to introduce two other bills in Parliament, which, if passed, could further erode freedom of the press and freedom of expression in the country. The first bill is designed to replace the current law on independent journalists. Some journalists see it as an attempt to bring all media outlets and journalists under direct State control.[43]

51. The Special Rapporteur received reports, as did the previous mandate holder, indicating that the Government continues to sentence individuals for the legitimate exercise of those rights. The second half of 2016 was marked by a series of arrests and detention of journalists, writers, social media activists and human rights defenders. In August 2016, an appeal court in the city of Saveh upheld a lower court decision that Mohammad Reza Fathi, a blogger and journalist, should receive 459 lashes because of his posts about city officials.[44] Under articles 609 and 698 of the Islamic Penal Code, criticizing government officials or publishing false news is punishable by imprisonment or up to 74 lashes. The Government, however, drew the attention of the Special Rapporteur to the fact that "insulting committed leaders, great personalities and thinkers is unthinkable and many countries have criminalized such insulting behaviours".

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[39] See A/HRC/WGAD/2015/16; A/HRC/WGAD/2015/44; A/HRC/WGAD/2016/1; A/HRC/WGAD/2016/2; A/HRC/WGAD/2016/25; A/HRC/WGAD/2016/18; and A/HRC/WGAD/2016/50.

[40] See A/HRC/14/12, paras. 102 and 122.

[41] See A/HRC/28/12/Add.1.

[42] See www.reuters.com/article/us-iran-politics-idUSKCN0V20P9. It is important to note that these actions are already criminalized in the Islamic Penal Code and other laws, such as the Press Law. This bill, however, would allow defendants the right to a jury trial in open court if it is determined that the crimes they committed qualify as "political".

[43] See https://www.iranhumanrights.org/2016/10/hassan-rouhani-government-bills-to-restrict-media/.

[44] See https://rsf.org/en/news/press-freedom-violations-recounted-real-time-january-december-2016.

52. As at 13 December 2016, at least 24 journalists, bloggers and social media activists were reportedly either in detention or sentenced for peaceful activities. Reports suggest that many others are regularly subjected to interrogation, surveillance and other forms of harassment and intimidation.[45] The Special Rapporteur also received reports indicating that the Government continues to place restrictions on access to information by filtering websites, intimidating and prosecuting Internet users, bloggers and social media activists, and throttling Internet speeds. According to those reports, some 5 million websites remain blocked in the country; and the top 500 blocked websites are dedicated to the arts, social issues, news and other popular culture issues.

F. Freedom of association and assembly, and human rights defenders

53. In a joint statement issued in May 2016, the previous mandate holder and several other experts expressed outrage at the 16-year sentence handed down to Narges Mohammadi,[46] a prominent human rights defender who was prosecuted for her membership in a group advocating the abolition of the death penalty. Ms. Mohammadi had previously been jailed in connection with her activities on behalf of the Centre for Human Rights Defenders, an organization formerly headed by Nobel Peace laureate Shirin Ebadi, which was shut down by the Government in 2008.

54. In August 2016, in response to a communication sent in April 2016 by several experts, the Government indicated that Ms. Mohammadi was sentenced to only five years' imprisonment and that her numerous offences against the law had nothing to do with her legal social activity and the above-mentioned verdict was based on legal standards. It considered the claim of her arbitrary arrest to be incorrect and refuted it. The Special Rapporteur was, however, informed that, on 18 May 2016, Branch 15 of the Revolutionary Court sentenced Ms. Mohammadi to 10 years' imprisonment for "membership in Step by Step to Stop the Death Penalty", which has since been banned, five years for "assembly and collusion against national security" and one year for "propaganda against the State", a sentence that was upheld by the Appeal Court in September 2016.

55. In October 2016, 15 members of Parliament sent a letter to the Chief Justice, Ayatollah Sadegh Ardeshir Larijani, requesting that her sentence be reversed.[47] The parliamentarians described Ms. Mohammadi as a person who "has for years worked for women's rights" and argued that "issuing such sentences against critics would only raise the cost of constructive criticism, isolate critics and drive society into stagnation". They also pointed out that Ms. Mohammadi was the mother of two young children and was suffering from various life-threatening illnesses. By the end of 2016, however, no measures had been taken to release Narges Mohammadi. Moreover, it was reported that the public relations director in the Office of the Governor of Qazvin, 143 kilometres northwest of Tehran, had been arrested for inviting friends online to support the release of the human rights activist.[48] He was released a few hours later after a 15-million-tomans bail ($4,700) was posted.

56. Golrokh Ebrahimi Iraee and her husband, Arash Sadeghi, both human rights activists, were imprisoned in June and October 2016. They were arrested in 2014 by men believed to be members of the Revolutionary Guard, who reportedly did not show an arrest warrant. Mr. Sadeghi was reportedly subjected to torture during interrogation, while Ms. Ebrahimi was reportedly subjected to secret detention, solitary confinement for 20 days and several hours of interrogation, during which she could hear her husband being verbally abused. Both were denied access to a lawyer during the interrogations as well as before the Revolutionary Court in Tehran. Mr. Sadeghi was sentenced to 15 years' imprisonment in Evin Prison on charges including "spreading propaganda against the system", "gathering

[45] See www.rsf-persan.org/article17582.html (in Persian).

[46] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19998&LangID=E.

[47] See www.isna.ir/news/95072514536/ (in Persian).

[48] See https://www.iranhumanrights.org/2016/12/iranian-official-arrested-for-supporting-release-of-imprisoned-human-rights-activist/.

and colluding against national security" and "insulting the founder of the Islamic Republic". The evidence presented to support the charges against him consisted of printed copies of his Facebook messages and e-mails to journalists and human rights activists abroad. Ms. Iraee was charged with "insulting the sacred" and "propaganda against the State" in an unpublished fictional story that she had allegedly written about a protagonist who burned the Qur'an after watching a film about stoning in Iran, in addition to several of her Facebook posts. She was given a five-year prison sentence. In December 2016, Mr. Sadeghi ended a 71-day hunger strike after his wife was released on bail. However, despite his critical medical condition, he was reportedly denied specialized medical care outside the prison. According to the Government, Ms. Iraee received Islamic clemency and went on leave.

57. Several other human rights defenders were jailed in 2016 and many were still in prison at the end of the year. Ali Shariati and Saeed Shirzad went on a hunger strike to protest their five-year prison sentences for peaceful activism reportedly related to their participation in non-violent protests to condemn acid attacks against women and defending children's rights, respectively.[49] In November 2016, Atena Daemi, an anti-death penalty campaigner, was reportedly brutally taken away from her parents' home to serve a seven-year prison sentence in relation to her numerous activities against the death penalty.

58. In November 2016, Ahmad Montazeri, a cleric and son of Ayatollah Hossein Ali Montazeri, one of the founding fathers of the Islamic Republic, was sentenced to several years in prison after he released a decades-old audio tape in which his father denounced the mass execution of political prisoners during the summer of 1988. Ahmad Montazeri was arrested on charges of "acting against the national security", "releasing a classified audio file" and "propaganda against the system". Ahmad Montazeri's father was one of few Iranian leaders to voice opposition to the reported execution of thousands of political dissidents in 1988, who had already been tried and sentenced to prison in detention facilities throughout the country.[50]

59. The Special Rapporteur also notes the restrictions imposed on the freedom of association and assembly of workers and labour activists who are often not allowed to establish independent unions.[51] Although the Government has allowed an increasing number of peaceful gatherings by workers protesting unpaid wages and other conditions, arrest and detention of labour union leaders and activists are not uncommon.

60. In October 2016, three prominent teachers' rights activists and union leaders, Jafar Azimzadeh, Esmail Abdi and Mahmoud Beheshti-Langeroudi, were summoned back to prison after they had been released. They had been sentenced to imprisonment for peaceful activism on national security-related charges such as "assembly and collusion against national security" and "propaganda against the State".[52] In October 2016 also, a court reportedly sentenced workers' rights activists, Jafar Azimzadeh and Shapour Ehsani Rad, to 11 years' imprisonment each for participation in labour unions.[53] In December 2016, members of one of the country's oldest labour unions were violently attacked by anti-riot police while peacefully demanding their past-due housing allowances and other benefits in front of a Tehran municipal building.[54]

[49] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21071&LangID=E#sthash.X4h2UtKF.dpuf.

[50] See www.isna.ir/news/95090704435/ (in Persian).

[51] The Government accepted 8 out of 13 recommendations regarding labour rights made at the 2014 universal periodic review.

[52] See https://www.iranhumanrights.org/2016/11/three-summoned-the-union-activist/.

[53] See https://www.iranhumanrights.org/2016/10/jafar-azimzadeh-and-shapour-ehsani-rad.

[54] See https://www.iranhumanrights.org/2016/12/labor-protest-police-intervention/.

G. Right to take part in the conduct of public affairs

61. On 21 November 2016, Parliament passed a law regulating the activities of political parties. The law prohibits political parties from operating until they have obtained two permits from a five-member commission comprising members of Parliament, the judiciary, and the Ministry of the Interior. The law requires applicants to submit, among other things, details of their views on cultural, economic, social, political, administrative and legal issues in the country. Applicants are also required to explicitly state their adherence to the Constitution and the principle of guardianship of the Islamic jurist (*velayat-e faqih*) in their manifestos and founding documents and to inform the Ministry of the Interior at least 72 hours before any gathering or demonstration. Article 5 of the law provides a list of categories of individuals who are prohibited from membership in political parties, including individuals suspected of being spies by security and intelligence forces.[55]

62. In December 2016, the trial of seven former reformist politicians, who had been charged with "assembly and collusion against national security" and "membership in an illegal group", began in a Tehran Revolutionary Court.[56] On 5 November 2016, two days before the originally scheduled trial date, the defendants sent a letter to Parliament criticizing the judiciary for targeting political opposition members by means of a vaguely defined national security law and for denying them fundamental due process rights, including adequate access to lawyers. The seven senior members of the now-banned reformist political party, the Islamic Iran Participation Front were Mohammad Reza Khatami, Mohammad Naimipour, Mohsen Safaie Farahani, Hamidreza Jalaeipour, Hossein Kashefi, Ali Shakouri-Rad and Aza Mansouri.[57]

63. The Special Rapporteur notes that former presidential candidates and opposition figures, Hossein Mousavi, Mehdi Karroubi and Zahra Rahnavard, have spent six years under house arrest without charge. Security and intelligence forces placed the opposition figures under house arrest in February 2011 after they protested against the results of the disputed 2009 presidential election.[58]

III. Women's rights

64. The Government accepted 27 out of 60 recommendations regarding the rights of women made during the 2014 universal periodic review, including recommendations on gender discrimination, early marriage, access to health and education, political and economic participation and domestic violence. However, it rejected recommendations aimed, inter alia, at ensuring equal rights and opportunities for women and girls and ensuring equal treatment of women in law and in practice.[59]

65. The Special Rapporteur regrets that no progress has yet been made towards the ratification of the Convention on the Elimination of Discrimination against Women and the elimination of legal provisions that discriminate against women in various areas. It is particularly disturbing that blatantly discriminatory provisions such as those contained in the Islamic Penal Code and which stipulate that the value of a woman's life is equal to half that of a man's[60] remain in force in the country. Of concern also is the possible adoption of new discriminatory legal provisions against women.

66. While noting some positive aspects of the Act on Reduction of Office Hours for Women with Special Circumstances,[61] adopted by Parliament in July 2016, which reduces the working hours of women from 44 hours to 36 hours a week without reducing their salaries, the Special Rapporteur also heard fears expressed that this law may unintentionally

[55] See http://dolat.ir/detail/285644 (in Persian).
[56] See www.mehrnews.com/news/3840476/ (in Persian).
[57] See https://www.iranhumanrights.org/2016/11/7-reformers-activists/.
[58] See A/HRC/22/48 paras. 36 and 44.
[59] See A/HRC/28/12, paras. 138.100 and 138.105.
[60] See Islamic Penal Code, art. 550.
[61] See www.iranhumanrights.org/2016/07/bill-to-reduce-the-working-hours-of-women/.

erect barriers for women to enter or remain in the workforce and would primarily affect women heads of household, women with children under the age of 7 years and women with children or spouses with disabilities or incurable and chronic diseases.[62] Attempts by the Vice-President for Women and Family Affairs, Shahindokht Molaverdi, to introduce draft language covering men in similar situations were ultimately rejected by Parliament.[63]

67. In August 2016, the newly elected Parliament re-introduced the controversial Population and Family Excellence Plan, which aims to increase the pregnancy rate to 2.5 per cent of the quantitative population growth up to 2025 and requires public and private sector employers to give hiring preference to men and prohibits hiring "single individuals" to faculty positions in all public and private education and research institutions.[64] The Special Rapporteur is also concerned about the Bill to Protect Hijab and Modesty, which, if adopted, would restrict women's right to work by limiting women's working hours to between 7 a.m. and 10 p.m. and mandate gender segregation in the workplace.[65]

68. After having implemented an effective family planning education programme for many years, the Government proposed the Bill to Increase Fertility Rates and Prevent Population Decline (Bill 446).[66] The bill outlaws surgical contraception, restricts access to contraceptives, bans the provision of information on contraceptive methods and reduces State funding for family planning programmes.[67]

69. In November 2016, intelligence forces allegedly arrested women's rights activist, Alieh Motlabzadeh, for attending a workshop in Georgia. At the time of writing the present report, she had been released on bail and was awaiting further court proceedings. Ms. Motlabzadeh was among at least 20 women's rights activists interrogated by authorities following their participation in the workshop.[68] Earlier in 2016, several women, who had been involved in the 2015 campaign for increased representation of women in the parliamentary election were summoned for long, intensive interrogations by the Revolutionary Guards. At the end of 2016, Ali Shariati was still on a hunger strike in protest against the five-year prison sentence he had received on the charge of acting against national security after participating, in 2014, in a protest against acid attacks in the city of Isfahan, which had left at least seven women permanently disfigured. At the end of 2016, no one had been apprehended for the attacks.

70. Child marriage remains legally possible for girls aged 13 years and boys aged 15 years. Even younger children can be married with the permission of the court but the marriage may not be consummated until puberty. In June 2016, a spokesperson for the Tehran-based Association to Protect the Rights of Children stated that child marriages had reached alarming levels and stressed that approximately 17 per cent of all marriages in the country involved girls married to old men. Forced marriage is, however, prohibited by law.

71. Discriminatory laws and regulations that require women to observe the Islamic dress code, or hijab, continue to be enforced by security and law enforcement officials as well as by citizens, in accordance with the 2015 legislation. The Plan to Protect Promoters of Virtue and Preventers of Vice empowers ordinary Iranian citizens to enforce laws that prohibit acts considered to be vices under sharia, including enforcing the hijab.[69] The Security Commander for the Boushehr region announced in June 2016 in the official media that 64,000 women had received warnings for "bad hijab".[70] Through a social media

[62] See www.rc.majlis.ir/fa/legal_draft/state/847722 (in Persian).
[63] See www.isna.ir/fa/news/93042413829/ (in Persian).
[64] See A/HRC/28/70, para. 68, and A/HRC/31/69, para. 54, also http://rc.majlis.ir/fa/legal_draft/show/845276 (in Persian).
[65] See A/HRC/28/70, paras. 57.
[66] See www.shora-rc.ir/portal/Pages/Show/Default.aspx?ID=<redacted>.
[67] See https://www.thefutureeconomy.org/signals-of-change/3460/iran-considers-bills-boost-population-growth, and http://impactiran.org/joint-ngo-letter-in-support-of-2016-unga-resolution-on-hr-in-iran/.
[68] See https://www.iranhumanrights.org/2016/11/womens-rights-activist-arrested/.
[69] See www.shora-rc.ir/Portal/Pages/Show/Default.aspx?ID=<redacted>4758 (in Persian).
[70] See http://mashhadtoday.ir/tag/ (in Persian).

campaign launched in July 2016, Iranian men started protesting against the compulsory veiling of women and advocating for change. Although the campaign received a lot of support, the authorities re-affirmed on several occasions the need to strictly monitor compliance with hijab rules. Women who appear without an Islamic hijab continue to risk arrest and imprisonment of between 10 days and two months, or a fine of up to 500,000 rials. Such encouragement by the Government gives rise to vigilantes who harass and intimidate women.

72. The Special Rapporteur notes that the Iranian legal framework fails to adequately protect women from violence and to criminalize marital rape. She notes that certain provisions might even condone sexual abuse, such as article 1108 of the Civil Code, which obliges wives to fulfil the sexual needs of their husbands at all times. Similar concerns apply to provisions such as articles 301 and 612 of the Islamic Penal Code of 2013, which provide for lighter punishment if a murder is committed by a father or paternal grandfather of the victim and even allows judges to release the perpetrator without any punishment. These provisions, as observed by the Committee on the Rights of the Child, pave the way for total impunity in the case of killings in the name of so-called honour.

IV. Ethnic and religious minority rights

73. The Special Rapporteur notes that the Government accepted only 2 out of the 25 recommendations regarding ethnic and religious minorities made during the 2014 universal periodic review.

74. The Special Rapporteur is particularly concerned at the continuing systematic discrimination, harassment and targeting of adherents to the Baha'i faith. She notes that discrimination against the Baha'i community is legally sanctioned owing to the fact that the faith is not recognized in the Constitution and the absence of other legal protections for adherents of the faith.

75. There are currently 90 Baha'is in prison in the Islamic Republic of Iran,[71] all reportedly detained on false charges related solely to their religious beliefs and practices. The list includes seven Baha'i leaders who received 10 year sentences and are still in prison for allegedly "disturbing national security", "spreading propaganda against the regime", and "engaging in espionage". Their arrests in 2008 and their sentencing in 2010 provoked an international outcry.[72]

76. On 25 September 2016, Farhang Amiri, a Baha'i, was murdered outside his home in the central city of Yazd by two young men who were later arrested and confessed that they had attacked him because he was a Baha'i.[73]

77. In addition to arbitrary arrests, detentions and prosecutions of Baha'is, the authorities reportedly continue to destroy the community's religious sites and cemeteries, while pursuing activities that economically deprive Baha'is of their right to work. This policy is in line with a 1991 directive issued by the Supreme Council of the Cultural Revolution that calls on the authorities to systematically prevent the integration, progress and success of the Baha'i community in the country.[74] The policy includes restrictions on the types of businesses and jobs that Baha'i citizens can have, closing down and blacklisting of Baha'i-owned businesses, pressure on business owners to dismiss Baha'i employees and seizure of businesses and property owned by Baha'is. In November 2016, for example, the authorities indefinitely sealed dozens of businesses owned by Baha'is after they had been closed to observe two Baha'i holy days.[75]

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[71] See the annex to the present report.

[72] See https://www.bic.org/8-years/profiles-seven-imprisoned-iranian-bahai-leaders#xoKGJ3RpGYIT1LOu.97.

[73] See https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#SS37IS7E7ePA5SHh.99.

[74] See http://news.bahai.org/documentlibrary/TheBahaiQuestion.pdf.

[75] See https://www.iranhumanrights.org/2016/11/bahai-life-rights-karaj/.

78. The Special Rapporteur is also concerned about the targeting and harsh treatment of Christians from Muslim backgrounds and members of various Sufi groups, including the Nematollahi Gonabadi order and the Yarsan (also known *Ahl-e Haqq*), which are considered "deviant faiths" by the authorities and some members of the clerical establishment.[76] These groups continue to face arbitrary arrest, harassment and detention, and are often accused of national security crimes such as "acting against national security" or "propaganda against the State". Under Iranian law, individuals, including Christians of Muslim backgrounds, can be prosecuted for apostasy, although it is not specifically codified as a crime in the Islamic Penal Code. The Special Rapporteur notes that laws against apostasy clearly contravene the State's obligation to protect the right to freedom of religion or belief.

79. Violations of the rights of ethnic minorities continue to be reported in the country. Almost one fifth of the executions carried out in Iran in 2016 concerned Kurdish prisoners.[77] Among those executions, 21 were related to the crime of "*moharebeh*" (waging war against God and the State) and 1 to membership in a Kurdish political party. Kurdish political prisoners are said to represent almost half of the total number of political prisoners in the country.

80. The Special Rapporteur is seriously concerned about the alleged indiscriminate and blind use of lethal force towards Kurdish *kulbaran* (back carriers), which may be related to their ethnic affiliation. The *kulbaran* are Kurdish couriers who engage in smuggling commodities across the border. Due to the high rate of unemployment in Kurdistan provinces, this activity is generally the only way for them to provide for themselves and their family. In 2016, Iranian border security forces reportedly killed 51 *kulbaran* and injured 71 others, which is about twice as much as the previous year.

V. Conclusion and recommendations

81. Since her appointment, the Special Rapporteur has been contacted by a large number of Iranians both outside and inside the country. She is extremely disturbed by the level of fear of those who have communicated with her. She notes that interlocutors living outside the country expressed fear, mainly of possible reprisals against their family members living in the Islamic Republic of Iran.

82. The Special Rapporteur observes that profound legal and structural changes are required for any significant improvement of the human rights situation to take place in the Islamic Republic of Iran. The adoption of the Citizen Rights Charter is a positive step in this direction. The Special Rapporteur hopes that the implementation of the Charter will give impetus to a genuine participatory process by all components of Iranian civil society.

83. While noting as positive the willingness on the part of the Government to explore steps to reduce the number of executions in the country, the Special Rapporteur is, however, deeply concerned over the alarming level of executions, including of juveniles, in the country. She urges the Government to immediately and unconditionally prohibit the sentencing of children to death and to engage in a comprehensive process to commute all the death sentences that were handed down to persons currently on death row in respect of crimes committed when the person was under the age of 18 years. The Special Rapporteur reiterates the calls made by the previous mandate holder to establish a moratorium on the death penalty and urges the Government to accelerate the process of amending its Anti-narcotic Law and to replace the death penalty for drug-related offences by penalties which comply with relevant international standards. The Government should also put an end to public executions.

[76] See https://www.hrw.org/news/2013/07/24/iran-sufi-activists-convicted-unfair-trials.

[77] See Association for Human Rights in Kurdistan of Iran-Geneva, Annual Report on Human Rights Violations in Iranian Kurdistan in 2016. Available at www.kmmk-ge.org/2017/01/17/english-kmmk-g-annual-report-on-the-human-rights-violations-in-kurdistan-of-iran-in-2016/.

84. The legislation of the Islamic Republic of Iran continues to authorize punishments such as flogging, blinding, amputation and stoning of individuals convicted of certain offences, in breach of the absolute prohibition of torture and other forms of ill-treatment. The Special Rapporteur recalls that the right to be free from torture or other cruel, inhuman or degrading treatment or punishment can never be limited or interfered with no matter what the circumstances, and urges the Government to abolish all provisions that authorize such punishments.

85. The Special Rapporteur is concerned that the administration of justice is undermined by the proliferation of judicial decision-making bodies. In this respect, she draws attention to the recommendations made by the Working Group on Arbitrary Detention following its visit to the country to abolish the revolutionary tribunals and religious courts. She is also concerned about the lack of independence of the judiciary. She recalls that the principle of the separation of powers is the bedrock upon which the requirements of judicial independence and impartiality are founded. The Special Rapporteur urges the Government to ensure that the judiciary is free from interference of any kind and to uphold the integrity of judges, prosecutors and lawyers, notably by ensuring that the appointment of judges is transparent and based on merit, and by protecting them, their families and professional associates against all form of violence, threat, retaliation, intimidation and harassment as a result of discharging their functions. A self-regulating independent bar association or council should be urgently established to oversee the process of admitting candidates to the legal profession, provide for a uniform code of ethics and conduct, and enforce disciplinary measures, including disbarment.

86. The Special Rapporteur welcomes the recent amendments to the Islamic Penal Code and the Criminal Procedure Code. She, however, regrets that the amendments have not yet translated into better protection from arbitrary arrest and detention, as shown by the number of cases highlighted in the present report. The Special Rapporteur urges the Government to adopt all the measures necessary to effectively guarantee the right of anyone to be free from arbitrary deprivation of their liberty. In this respect, she echoes the recommendations made by the previous mandate holder on the necessity to amend the broadly defined criminal offences, to strengthen fair trial safeguards, to investigate all allegations of torture and ill-treatment and to hold accountable those found guilty.

87. The harassment and widespread arrest and detention of persons exercising their right to freedom of opinion and expression or carrying out activities as human rights defenders demonstrate that the authorities continue to exert a high level of control over citizens and severely limit the democratic space. The Special Rapporteur recalls that freedom of opinion and freedom of expression are indispensable conditions for the full development of the person. They are essential for any society and they constitute the foundation stone for every free and democratic society.[78] The Government has a responsibility to ensure that human rights defenders do not face prosecution for promoting and advancing human rights in the country.

88. The Special Rapporteur urges the Government to guarantee the freedom of the press and media and to release all prisoners who have been jailed for exercising their right to freedom of opinion and expression. These include the persons mentioned in paragraph 47 of the present report, who were the subject of opinions issued by the Working Group on Arbitrary Detention. All political prisoners and prisoners of conscience should be released so as to foster an atmosphere that inspires confidence and gives hope to the citizens that the human rights situation in the country may improve.

89. The Special Rapporteur urges the Government to take proactive steps to promote the full realization of the rights of human rights defenders and to refrain from any act that violates their rights because of their human rights work. The

[78] See Human Rights Committee, general comment No. 34 (2011) on the freedoms of opinion and expression, para. 2.

Government should take strict measures to ensure that the security and intelligence apparatus does not use reprisal against the families of those who monitor or campaign against human rights violations or express views that are contrary to government policies.

90. **The Special Rapporteur is particularly concerned about the limited progress made towards eliminating discrimination against women and girls in law and in practice and about the bills that are currently before Parliament, which, if adopted, might jeopardize women's empowerment. The Special Rapporteur is also concerned about new restrictions on the freedom of movement of women and girls and the high-handed manner in which the compulsory dress code is enforced. The Special Rapporteur calls on the Government to ratify the Convention on the Elimination of All Forms of Discrimination against Women, to amend and repeal all laws which discriminate against women and girls and to refrain from adopting laws and measures that would further undermine the empowerment of women and their participation in the labour force. She urges the Government to ensure freedom of movement of women and girls and to guarantee their fundamental right to physical education, physical activity and sports. Laws and regulations that require women and girls to observe the Islamic dress code infringe on their right to have, adopt and profess or not a religion or belief and do not take into account the various religious components of Iranian society. These laws should be reviewed and the Government should respect the right of anyone to privacy and ensure that security forces refrain from acting as moral guardians of citizens.**

91. **The Special Rapporteur expresses concern over the persistence of child marriage. She recalls that child marriage constitutes a harmful practice and in certain circumstance could even fall under the international legal definition of slavery. Child marriage can never be considered as being in the best interests of the child. The Special Rapporteur urges the Government to prohibit all forms of child marriage and to develop awareness-raising campaigns and programmes on the harmful effects of this practice on the physical and mental health and well-being of girls, targeting households, local authorities, religious leaders, judges and prosecutors, as recommended by the Committee on the Rights of the Child.**[79]

92. **The situation of recognized and unrecognized religious minorities remains a matter of serious concern. Baha'is continue to be systematically discriminated against, targeted and deprived of their right to a livelihood. The Special Rapporteur urges the authorities to recognize that freedom of religion or belief entails the freedom to choose a religion or belief, and that measures restricting eligibility for civil, political, social or economic privileges or the imposition of special restrictions on the practice of other faiths violate the prohibition of discrimination based on religion or belief and the guarantee of equal protection under article 26 of the International Covenant on Civil and Political Rights.**

[79] See CRC/C/IRN/CO/3-4, para. 60 (a).

Annex

List of Baha'i prisoners in the Islamic Republic of Iran

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Mrs. Mahvash Shahriari Sabet	25-May-05	Tehran	Without trial	Release on bail	Participation in the training institute	28-Jun-05
	05-Mar-08	Mashhad	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mrs. Fariba Kamalabadi Taefi	25-May-05	Tehran	Without trial	Release on bail	Participation in the training institute	28-Jun-05
	26-Jul-05	Mashhad	Without trial	Release on bail	N/A	19-Sep-05
	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Jamaloddin Khanjani	25-Sep-07	Isfahan (Isfahan)	Trial ended 14-Jun-10	20 years' imprisonment	N/A	02-Oct-07
	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Afif Naimi	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
	25-May-05	Shiraz	Was not tried	Release on bail	N/A	29-Jun-05
Mr. Saeid Rezaie Tazangi	25-May-05	Shiraz	Was not tried	Release on bail	N/A	29-Jun-05
	26-Jul-05	Mashhad	Without trial	Release on bail	Membership of Yaran (group managing the affairs of the Bahá'í community in Iran) and involvement in teaching the [Bahá'í Faith]	15-Nov-05
Mr. Behrouz Azizi Tavakkoli	26-Jul-05	Mashhad	Without trial	Release on bail	Membership of Yaran (group managing the affairs of the Bahá'í community in Iran) and involvement in teaching the [Bahá'í Faith]	15-Nov-05

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Vahid Tizfahm	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Jalayer Vahdat	04-Aug-05	Mashhad	(05-Apr-10)	N/A	Activities against national security, propaganda against the regime and membership in the unlawful Baha'i administration	28-Aug-05
	26-Jan-09	Mashhad	(May/Jun-10)	5 years imprisonment and 10 year ban on leaving the country		12-May-09

Name	Arrest date	Location of arrest/ City of residence	Date of trial/ Court order issued	Sentence	Charges	Date of release
	Started serving sentence 24-Oct-10	Mashhad	First court on 15/16-Aug-09. Then: 25-Oct-09 (sentence was appealed)	Sentence of 5 years imprisonment and 10 years not leaving the country was changed to 5 years imprisonment	Teaching against the regime, taking action against national security, and illegal dissemination of CDs, teaching the Faith, and insulting religious sanctities	
Mr. Vesal Mahboubi	25-Apr-11	Sari (Mazandaran)		1 year-sentence has been appealed	N/A	
Ms. Sanaz Tafazoli	27-Jun-11	Mashhad	N/A	N/A	N/A	
Mr. Afshin Heyratian	03-Jun-10	Tehran (Tehran)	N/A	4 years imprisonment	Charged with activities related to human rights issues and writing articles	21-Jul-10
	20-Aug-11	Tehran	06-Nov-10	4 years imprisonment (sentence was appealed)	Assembly and conspiracy, with criminal intent, against national security and membership in the perverse sect of Bahaism	
Ms. Nasim Bagheri	27-Apr-14		Court date: 8-Oct-13	4 years imprisonment under Ta'zir law	N/A	
Mr. Azizollah Samandari	14-Jan-09	Tehran (Tehran)	N/A	Release on bail	Activities against National Security, association with hostile countries, teaching the Faith	14-Jan-09
	07-Jul-12	Tehran (Tehran)	N/A	4 years	Collaboration with the Yaran (group managing the affairs of the Bahá'í community in Iran) providing information technology support	07-Jul-12
Mr. Hamid Eslami	14-Jul-12	Shiraz (Fars)	Unknown	N/A	Membership in illegal groups in opposition to regime, propaganda against the regime in the interest of groups in opposition to regime	
Mr. Navid Khanjani	02-Mar-10	Isfahan (Isfahan)	N/A	N/A	Collaboration with human rights activists	03-May-10

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	22-Aug-12	Tabriz (East Azerbaijan)	Court of appeal upheld verdict 10-Aug-11	12 years' imprisonment + 5 million rial (~US$500) fine	Engaging in human rights activities, illegal assembly (in support of university students deprived of higher education), and disturbance of the general public's opinion	
Mr. Kayvan Rahimian	06-Mar-05	Tehran			N/A	16-Mar-05
	Summoned 28-Jul-11	Tehran (Tehran)	27-Feb-12	Release on bail	Using falsely obtained degrees, illegal counselling, running illegal classes, defrauding the public	22-Sep-11
	30-Sep-12	Tehran (Tehran)	12-Jun-12	5 years' imprisonment + 97,877,000 rial fine (~US$8,000)	Assembly and collusion with intent to commit acts of crime against national security, membership in the perverse sect of Bahaism, and earning illegal income	
Mr. Farhad Fahandej	17-Oct-12	Gorgan (Golestan)	N/A	10 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Farahmand Sanaie	17-Oct-12	Gorgan (Golestan)	N/A	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Kamal Kashani	17-Oct-12	Gorgan (Golestan)	N/A	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Siamak Sadri	18-Nov-12	Gorgan (Golestan); Rajaieshahr	Sentenced May-13	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Payam Markazi	18-Nov-12	Gorgan (Golestan)	Sentenced May-13	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Foad Fahandej	18-Nov-12	Gorgan (Golestan)	Sentenced May-13	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Kourosh Ziari	20-Nov-12	Gonbad (Golestan)	Court hearing: 24-Apr-13, Issuance of verdict: 21-May-13	5 years imprisonment	Managing an illegal group for [the purpose] of disturbing [national] security	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Foad Moghaddam	22-May-11	Isfahan	Without trial	Release on bail	Collaboration with Bahá'í Institute for Higher Education	25-Jun-11
	Jan-12 — Began serving sentence	Isfahan (Isfahan)	Tried 30-Jun-12; Sentence issued 09-Jul-12; Appealed verdict without result.	5 years' imprisonment under Ta'zir law	Collaboration with Bahá'í Institute for Higher Education	
Mr. Pooya Tebyanian	08-Mar-09	Semnan	Tried 15-Apr-09; Verdict issued 31-May-09; Appeal court verdict 29-Apr-10	18 months imprisonment	Propaganda against the regime	May-11
	12-Mar-11	Semnan	Tried on 16-Apr-12; Appeals verdict issued 12-Aug-12	6.5 years' imprisonment	Propaganda against the regime of the Islamic Republic of Iran and membership in and organizing illegal groups and assemblies	
Mr. Farzin Sadri Dowlatabadi	19-Oct-13	Gorgan			N/A	
Mr. Shamim Naimi	23-Jul-12	Tehran		Release on bail	Propaganda against the regime and activity against national security	02-Sep-12
	28-Apr-14 — Began serving sentence	Tehran	10-Nov-2012; 18-Feb-13;	3 years imprisonment (appealed sentence)	Propaganda against the regime and activity against national security	
Ms. Elham Farahani Naimi	10-Jul-12	Tehran		Release on bail	Propaganda against the regime and activity national security	08-Sep-12
	28-Apr-14 — Began serving sentence	Tehran	04-Feb-13	4 years imprisonment (appealed sentence)	N/A	
Mr. Adel Naimi	10-Jul-12	Tehran (Tehran)	Date tried: 24-Apr-2013	Initially 11 years imprisonment, changed to 10 years.	Initially announced. (a) Activity against national security; (b) Espionage; (c) Participating in the clandestine organization of Bahaism. In court document: Organizing the Bahaist sect, teaching; holding [self-defence] spray; engaging in propaganda against the regime of the Islamic Republic of Iran	

Name	*Arrest date*	*Location of arrest City of residence*	*Date of trial Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Farhad Eghbali	20-Nov-12	Gorgan	N/A	N/A	N/A	Unknown
	Began serving sentence on 30-Aug-14		N/A	5 year	N/A	
Mr. Shahab Dehghani	10-Jul-12	Tehran	N/A	N/A	N/A	N/A
	12-Jul-13	Tehran	N/A	4 years	Propaganda activities against the sacred regime of the Islamic Republic, teaching the perverse ideologies of Bahaism, and activities intended to mislead the youth. Activity against national security	
Ms. Mona Mehrabi	16-Feb-15	Tehran	Unknown	Unknown	Unknown	
Mr. Faramarz Lotfi	Sometime between 24/27-Sept-13 — After a raid of his home, he was taken to an unknown place	Tonekabon		N/A	N/A	Unknown
	On 03-Feb-15, he was summoned to court to hear his decree, and was immediately transferred to prison	Tonekabon	03-Feb-15	N/A	Activities against the national security, and propaganda against the regime	

Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Ziaollah Ghaderi	03-Feb-15 — he was summoned to court to hear his decree, and was immediately transferred to prison	Tonekabon	03-Feb-15	Unknown	Activities against the national security, and propaganda against the regime	
Mr. Soroush Garshasbi	21-Nov-09	Tonekabon — Mazandaran	05-Jun-10	N/A	N/A	Sometime in Dec-09 —Precise date is unknown
	Began serving sentence on 03-Feb-15	Tonekabon	03-Feb-15	N/A	Activities against the national security, and propaganda against the regime	
Mr. Manouchehr Khoironi	29-Nov-13 — Detained	Mashhad		N/A	N/A	Unknown
	Approx. end of Nov/beginning of Dec-13	Mashhad		N/A	Charged with propaganda against the Islamic Republic of Iran and activities against national security	29-Jan-14
		Mashhad	Court: Dec-14/Jan-15 — verdict appealed	6 years imprisonment under Ta'zir law	Activities against the national security, and propaganda against the regime	
Ms. Elham Karampishch	Began serving sentence on 16-Feb-15	Tehran		N/A	N/A	
Mrs. Safa Forghani	Began serving sentence on 16-Feb-15	Tehran		N/A	N/A	

Name	Arrest date	Location of arrest / City of residence	Date of trial / Court order issued	Sentence	Charges	Date of release
Mr. Mehrdad Forghani	Began serving sentence on 17-Feb-15	Varamin		N/A	N/A	
Ms. Laleh Mehdinezhad	10-Mar-15	Tehran		N/A	N/A	
Mrs. Fariba Ashtari	31-Jul-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	3 years imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	After 27 days
	21-Feb-15 — Summoned to Yazd Central Prison on	Yazd	13-Apr-14 — Court of Appeals in Yazd	2 years imprisonment under Ta'zir law and one year suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Nasser Bagheri Ghalat	Began serving sentence on 27-Feb-15	Yazd	N/A	N/A	Propaganda against the regime	
Mr. Faez Bagheri Ghalat	Began serving sentence on 27-Feb-15	Yazd	N/A	N/A	Propaganda against the regime	
Mrs. Shahnam Mottahed	31-Jul-12	Yazd	Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	2 years imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	Unknown

Name	Arrest date	Location of arrest / City of residence	Date of trial / Court order issued	Sentence	Charges	Date of release
	10-Mar-13 — Began imprisonment	Yazd	13-Apr-14 — Court of Appeals in Yazd	2 years imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Iman Rashidi Ezzabadi	31-Jul-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	4 years imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	Released after 27 days pending bail of 80 million Toman
	19-Mar-13 — Began imprisonment	Yazd	13-Apr-14 — Court of Appeals in Yazd	3 years imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Mehran Eslami Amirabadi	01-Oct-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	2 years imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	09-Oct-12
	04-Apr-13 — began imprisonment	Yazd	13-Apr-14 — Court of Appeals in Yazd	1 year imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Fariborz Baghi Asrabadi	Jul/Aug-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	3 years imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	Unknown
	07-Mar-15 — Began imprisonment	Yazd	13-Apr-14 — Court of Appeals in Yazd	2 years imprisonment under Ta'zir law and 1 year suspended imprisonment	(1) Propaganda against the regime of the Islamic Republic; (2) Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic	
Ms. Rouha Imani	12-May-15	Kerman	N/A	N/A	N/A	
Ms. Naghmeh Gilanpour	25-May-15	Rasht	N/A	N/A	Assembly for propaganda against the regime	
Mr. Foad Yazdani	25-May-15	Rasht	N/A	N/A	Assembly for propaganda against the regime	released on bail
	N/A	N/A	Appeared in court — date is unknown (reported in Jan 2016)	Sentenced to 6 months' imprisonment under Ta'zir law	N/A	
Mr. Peyman Yazdani	25-May-15	Rasht	N/A	N/A	Assembly for propaganda against the regime	released on bail
	N/A	N/A	Appeared in court — date is unknown (reported in Jan-16)	Sentenced to 6 months' imprisonment under Ta'zir law	N/A	
Mrs. Atefeh Zahedi (Azarnoush)	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	15-Apr-15

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	May/Jun-15	Hamadan	Trial held on 5-Aug-15, sentence was announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	
Mrs. Parvaneh Seifi (Ayyoubi)	21-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	22-Apr-15
	May/Jun-15	Hamadan	Trial held on 5-Aug-15; sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Saba Golshan	02-Aug-12	Isfahan	Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	5 years: 4 years imprisonment under Ta'zir law and 1 year suspended imprisonment	"Propaganda against the sacred regime of the Islamic Republic of Iran", and "assembly and collusion against national security" — person in charge of Isfahan Baha'i community	Unknown
	Began serving sentence on 13-Aug-15	Isfahan	13-Apr-14 — Court of Appeals in Yazd	4 years	(1) Propaganda against the regime of the Islamic Republic; (2) Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic	
Mr. Shahin Rashedi	07-Apr-15	Hamadan	Awaiting court trial	N/A	Propaganda against the regime	10-Apr-15
	May/Jun-15		Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	N/A
Ms. Mina Mobin Hemmati	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	15-Apr-15

Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
	May/Jun-15		Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Masoud Azarmoosh	13-Apr-15	Hamadan	N/A	N/A	Charged for owning satellite dish	15-Apr-15
	May/Jun-15		Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year imprisonment under Ta'zir law and 2 years exile to Khash	Propaganda against the regime	N/A
Mr. Hamid Azarmoosh	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	N/A
	May/Jun-15		Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year imprisonment under Ta'zir law and 2 years exile to Khash	Propaganda against the regime	
Mr. Farideh Ayyoubi	21-Apr-15	Hamadan			Propaganda against the regime	N/A
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	
Mrs. Romina Rahimian	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Mehran Khaledi	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Ms. Fataneh Moshtagh	Oct/Nov-12	Hamadan			N/A	after 9 hours
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Shahram Eshraghi Najafabadi	1983/84	N/A	N/A	1 year	N/A	Unknown
	31-Jul-12	Isfahan	Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	4 years: 3 years imprisonment under Ta'zir law and 1 year suspended imprisonment	"Propaganda against the sacred regime of the Islamic Republic of Iran", and "assembly and collusion against national security" — person in charge of Isfahan Baha'i community	Approx: Sep-12: Released on bail
		Isfahan	13-Apr-14 — Court of Appeals in Yazd	N/A	1. Propaganda against the regime of the Islamic Republic; 2. Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic.	
Ms. Helia Moshtagh	15-Nov-15	Tehran	N/A	N/A	N/A	
Mrs. Azita Rafizadeh (Koushk-Baghi)	12-Mar-13 summoned to the Revolutionary court.		N/A	N/A		N/A
	Summoned by telephone to serve her sentence (Apr-15)	Karaj	Convicted in Feb-15	4 years	Activity against national security by membership in BIHE	
Mr. Peyman Koushk-Baghi	12-Mar-13 summoned to the Revolutionary court.	N/A	N/A			N/A

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	28-Feb-16	Karaj	May-15: sentenced to five years of imprisonment under ta'zir law	5 years	Activity against national security by membership in BIHE	
Mr. Afshin Seyyed Ahmad	08-Nov-12	Tehran	N/A	sentenced to three years imprisonment	N/A	N/A
	Began serving sentence on 28-Jun-16		N/A	N/A	N/A	
Mr. Yashar Rezvani	02-Aug-16	Unknown	N/A	N/A	N/A	
Mr. Farzan Shadman	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mr. Farid Shadman	28-Sep-16	Shiraz	N/A	N/A	N/A	
Ms. Parisa Rouhizadegan	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mr. Shamim Akhlaghi	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mrs. Sahoa Farahbakhsh	28-Sep-16	Shiraz	N/A	N/A	N/A	
Ms. Ahdiyeh Enayati	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mrs. Shadi Aghdam	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mr. Varqa Kavyani	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mr. Soroush Ighani	28-Sep-16	Shiraz	N/A	N/A	N/A	
Mr. Farzad Delaram	02-Oct-16	Shiraz	N/A	N/A	N/A	
Mrs. Rouhiyyeh Nariman	02-Oct-16	Shiraz	N/A	N/A	N/A	
Ms. Bahareh Nowrouzi	03-Oct-16	Shiraz	N/A	N/A	N/A	
Ms. Rezvan Yazdani	22-Nov-16	Shiraz	N/A	N/A	N/A	
Ms. Nasim Kashaninejad	22-Nov-16	Shiraz	N/A	N/A	N/A	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Saied Azimi	25-Oct-16	Isfahan	N/A	N/A	N/A	
Mr. Amrollah Khaleghian	21-Dec-16	Kerman	N/A	N/A	N/A	
Mr. Soheil Keshavarz	24-Dec-16	Ghazvin	N/A	N/A	N/A	
Mr. Samir Kholousi	30-Dec-16	Kerman	N/A	N/A	N/A	
Mrs. Rouhiyyeh Zeinali	03-Jan-17	Kerman	N/A	N/A	N/A	
Mr. Mahbod Ettehadi	01-Jan-17	Yazd	N/A	N/A	N/A	
Mr. Borhan Esmaili	02-Jan-17	Borazjan of Bushehr	N/A	N/A	N/A	